

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PEOPLE OF THE STATE OF MICHIGAN,

Case No. 1:08-FP-292

Plaintiff,

v.

Hon. Richard Alan Enslen

MATTHEW J. CREHAN,

ORDER OF REMAND

Defendant.

/

Defendant Matthew J. Crehan has filed a Notice of Removal with the Clerk which purports to remove a criminal action (case no. 07-55046-FH) from the Circuit Court for the County for Muskegon, Michigan to federal court. The Notice states that the arraignment occurred on April 16, 2007 (Notice at 4), though the Notice was not filed until March 27, 2008. Since the Notice is untimely, it is ineffective and does not prevent the exercise of jurisdiction by the state court. *See Seaton v. Jabe*, 992 F.2d 79, 81-82 (6th Cir.1993). Further, the Petition does not set forth sufficient grounds permitting a conclusion of good cause for extension under 28 U.S.C. § 1446(c)(1).

THEREFORE, IT IS HEREBY ORDERED that Petition Matthew J. Crehan's Notice of Removal (Dkt. No. 1) is **REMANDED** to the Circuit Court for the County of Muskegon.

DATED in Kalamazoo, MI:
March 31, 2008

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE